

Approved:  Mayor

Veto: _____

Override: _____

RESOLUTION NO. Z-4-12

WHEREAS, **SOUTHWEST DADE TRUST COMMUNITY DEVELOPMENT CORP.**

applied for the following:

- (1) SPECIAL EXCEPTION to permit a high school within 1 mile of the Urban Development Boundary.
- (2) MODIFICATION of Condition #2 of Resolution Z-47-97, as last modified by Resolution Z-29-06, both passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "2. PARCEL 'A' (Religious Facility): That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Dr. Joseph Coats Charter School & Grace Baptist Church,' as prepared by Juan A. Rodriguez-RA Jomolca, Sheet A2.1, A2.2, A2.3, A3.00, A4.00, A4.01, A5.00, L1.01, L1.03, L1.05, & L1.06 all dated stamped received 5/12/06 for a total of 11 sheets.

PARCEL B (Charter School): That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled "Dr. Joseph Coats Charter School & Grace Baptist Church," as prepared by Juan A. Rodriguez-RA Jomolca, Sheet A2.0, A2.2, A2.3, A3.01, A3.02, A4.02, A4.03, A5.00, L1.01, L1.02, L1.04 & L1.06 all dated stamped received 5/12/06 for a total of 12 sheets. Except as hearing modified to have the number of parking spaces in the school modified and increase the green areas."

TO: "2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06."

- (3) MODIFICATION of Conditions #5, #6, #10 and #18 of Resolution Z29-06, passed and adopted by the Board of County Commissioners, reading as follows:

FROM: "5. That the school gates shall be opened at least 30 minutes prior to the arrival and dismissal times."

TO: "5. That the school gates shall be opened at least 30 minutes prior to the arrival and dismissal times. The Charter School shall have three (3) staggered shifts of arrival and dismissal times, separated by a minimum of twenty (20) minutes, as follows:

Kindergarten through 4th Grades-Arrival 8:30 AM/Dismissal 3:30 PM.

5th through 8th Grades-Arrival 8:00 AM/Dismissal 3:00 PM.

9th through 12th Grades-Arrival 7:30 AM/Dismissal 2:30 PM."

FROM: "6. That the charter school use shall be limited to grades Kindergarten through 5th grade for a maximum of 600."

TO: "6. That the charter school use shall be limited to grades Kindergarten through 12th grade for a maximum of 1012 students."

FROM: "10. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-RA Jomolca, sheets A2.0, A2.2, A2.3, A3.01, A3.02, A4.02, A4.03, A5.00, L1.01, L1.02, L1.04 & L1.06 all dated stamped received 5/12/06 for a total of 12 sheets, except as hearing modified to have the number of parking spaces in the school modified and increase the green areas."

TO: "10. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06."

FROM: "18. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Dr. Joseph Coats Charter School & Grace Baptist Church,' as prepared by Juan A. Rodriguez-RA Jomolca, Sheet A2.1, A2.2, A2.3, A3.00, A4.00, A4.01, A5.00, L1.01, L1.03, L1.05, & L1.06 all dated stamped received 5/12/06 for a total of 11 sheets."

TO: "18. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06."

- (4) MODIFICATION of Paragraph 1 of a Declaration of Restrictions (Church) as recorded in Official Records Book 25052 Pages 2337 - 2344, reading as follows:

FROM: "1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the application entitled 'Grace Baptist Church', as prepared by Juan A. Rodriguez-RA Jomolca, sheets A2.1, A2.2, A2.3, A3.00, A4.00, A4.01, A5.00, L1.01, L1.03, L1.05 and L1.06, dated stamped received on 5/12/06 for a total of 11 sheets (the "Plan"), as said plan may be further modified at the public hearing on the Application."

TO: "1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the application entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06 as said plan may be further modified at the public hearing on the Application."

- (5) MODIFICATION of Paragraphs 1, 3 & 8 of a Declaration of Restrictions (Charter School)) as recorded in Official Records Book 25052 Pages 2382 - 2389, reading as follows:

FROM: "1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the application entitled 'Joseph Coats Charter School', as prepared by Juan A. Rodriguez-RA Jomolca, sheets A2.0, A2.2, A2.3, A3.01, A3.02, A4.02, A4.03, A5.00, L1.01, L1.02, L1.04 and L1.06, dated stamped received on 5/12/06 for a total of 12 sheets (the "Plan"), as said plan may be further modified at the public hearing on the Application."

TO: "1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the application entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06, as said plan may be further modified at the public hearing on the Application."

FROM: "3. The Charter School use shall be limited to Kindergarten through Fifth Grade with 600 students."

TO: "3. The Charter School use shall be limited to Kindergarten through Twelfth Grade with 1012 students."

FROM: "8. The Charter School gates shall be opened at least thirty (30) minutes prior to the arrival and dismissal times."

TO: "8. The Charter School gates shall be opened at least thirty (30) minutes prior to the arrival and dismissal times. The Charter School shall have three (3) staggered shifts of arrival and dismissal times, separated by a minimum of twenty (20) minutes, as follows:

Kindergarten through 4th Grades-Arrival 8:30 AM/Dismissal 3:30 PM.

5th through 8th Grades-Arrival 8:00 AM/Dismissal 3:00 PM.

9th through 12th Grades-Arrival 7:30 AM/Dismissal 2:30 PM

The Owner shall have trained personnel on site to manage the traffic operations plan during the arrival and dismissal period. The Owner shall manage the traffic operations, including the provisions of any traffic control devices, during the arrival and dismissal times in substantial conformance with the 'Traffic Operations Plan' prepared by Juan A. Rodriguez-RA Jomolca, consisting of 1 sheet dated 11/10/11 and attached hereto as Exhibit 'B'."

The purpose of requests 2-5 is to permit the applicant to submit new site plans showing classrooms for the additional students and grades and show arrival and dismissal times for the previously approved charter school with the previously approved church plans unchanged.

The afore-mentioned plans are on file and may be examined in the Permitting, Environment and Regulatory Affairs Department or its successor department. Plans may be modified at public hearing.

SUBJECT PROPERTY: The South $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 18, Township 56 South, Range 40 East; less the West 50.00 feet and less the East 684.75 feet and less the North 150.00 feet and less the external area of a curve in the NE corner with a radius of 25.00 feet.

LOCATION: The southeast corner of SW 226 Terrace & SW 112 Avenue, Miami-Dade County, Florida, and

WHEREAS, a public hearing of the Board of County Commissioners was advertised and held, as required by the Zoning Procedure Ordinance, and all interested parties concerned in the matter were given an opportunity to be heard, and at which time the applicant proffered two Declaration of Restrictions which among other things provided:

Declaration of Restrictions (Charter School):

1. That the use of the Property shall be established and maintained substantially in accordance with the plan submitted with the Application entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06." as said plan may be further modified at the public hearing on the Application.
2. That use of the Property shall be established and maintained substantially as a Charter School.
3. That the Charter School shall be limited to Kindergarten through 12th grade with 1,012 students.
4. That prior to the issuance of a building permit for the Charter School, the Owner shall submit to the Department for its review and approval a landscaping plan that indicates the type and size of plant material to be used on the Property. The plant material shall have installed in accordance with such landscaping plan prior to the issuance of a certificate of use.
5. That upon compliance with all terms and conditions of the building permit applicable to the Property, the Owner shall obtain a certificate of use from (and promptly renew the same annually with) the Department. Such certificate of use shall be subject to cancellation upon violation of any of the conditions contained within the building permit.
6. That no outside speakers, other than in connection with emergency systems, shall be permitted on the Property.
7. That the waste pick-up for the Charter School shall be performed by a private commercial entity and shall be limited to pick-up between the hours of 9:00 a.m. and 4:00 p.m., Monday through Friday, provided that such pick-up shall not be performed during the arrival and dismissal times.
8. That the Charter School gates shall be opened at least thirty (30) minutes prior to the arrival and dismissal times. That the Charter School shall have three (3) staggered shifts of arrival and dismissal times, separated by a minimum of twenty (20) minutes, as follows:

Kindergarten through 4th Grade – Arrival 8:30AM / Dismissal 3:30PM
5th thru 8th Grades – Arrival 8:00AM / Dismissal 3:00PM
9th thru 12th Grades – Arrival 7:30AM / Dismissal 2:30pm

That the Owner shall have trained personnel on site to manage the traffic operations plan during the arrival and dismissal period. That the Owner shall manage the traffic operations, including the provisions of any traffic control devices, during the arrival and dismissal times in substantial conformance with the "Traffic Operations Plan" prepared by Juan A. Rodriguez-RA Jomolca, consisting of 3 sheets dated November 10, 2011 and attached hereto as Exhibit 'B'."

9. That if the Charter School is constructed but fails to begin operation and/or the Charter School fails after establishment, the Owner, within thirty-six (36) months of the Charter School's failure to begin operation or closure, shall:
 - a. cause the Charter School to be in full compliance with all zoning regulations applicable to the Property allowing a use other than the Charter School use, or
 - b. transfer the operation of the Charter School to another charter school operator or to the Miami-Dade County School Board, after securing the necessary approvals from the Miami-Dade County School Board, or
 - c. convert the Charter School to a permitted use within the zoning district applicable to the Property, provided said use has first been authorized through the issuance of the appropriate permits from the Department, or
 - d. secure necessary public hearing approvals to convert the Charter School to a use not otherwise permitted within the zoning district applicable to the Property.
10. That in addition to the foregoing provisions, the Applicant agrees to comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this application and incorporated herein by reference.

Declaration of Restrictions (Church):

1. That the use of the Property shall be established and maintained substantially in accordance with the plan submitted with the Application entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06." As said plan may be further modified at the public hearing on the Application.
2. That the use of the Property shall be established and maintained substantially as a Church.

3. That prior to the issuance of a building permit for the Church, the Owner shall submit to the Department for its review and approval a landscaping plan that indicates the type and size of plant material to be used on the Property. The plant material shall have installed in accordance with such landscaping plan prior to the issuance of a certificate of use.
4. That upon compliance with all terms and conditions of the building permit applicable to the Property, the Owner shall obtain a certificate of use from (and promptly renew the same annually with) the Department. Such certificate of use shall be subject to cancellation upon violation of any of the conditions contained within the building permit.
5. That no outside speakers, other than in connection with emergency systems, shall be permitted on the Property.
6. That the hours of operation of the Church will be different from that of the Charter School.
7. That the Church will enter into a Cross Access Parking Agreement with the Charter School in order to share the parking on site.
8. That in addition to the foregoing provisions, the Owner agrees to comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of this application and incorporated herein by reference.

WHEREAS, this Board has been advised that the subject application has been reviewed for compliance with concurrency requirements for levels of services and, at this stage of the request, the same was found to comply with the requirements, and

WHEREAS, upon due and proper consideration having been given to the matter and to the recommendation of the Developmental Impact Committee, it is the opinion of this Board that the requested special exception to permit a high school within 1 mile of the Urban Development Boundary (Item #1), the requested modification of Condition #2 of Resolution Z-47-97, as last modified by Resolution Z-29-06, both passed and adopted by the Board of County Commissioners (Item #2), the requested modification of Conditions #5, #6, #10 and #18 of Resolution Z29-06, passed and adopted by the Board of County Commissioners (Item #3), the requested modification of Paragraph 1 of a Declaration of Restrictions (Church) as recorded in

Official Records Book 25052 Pages 2337 - 2344 (Item #4), and the requested modification of Paragraphs 1, 3 & 8 of a Declaration of Restrictions (Charter School) as recorded in Official Records Book 25052 Pages 2382 - 2389 (Item #5) would be compatible with the area and its development and would be in harmony with the general purpose and intent of the regulations and would conform with the requirements and intent of the Zoning Procedure Ordinance and would be consistent with the Comprehensive Development Master Plan, and that the requested unusual use (Item #1) would not have an adverse impact upon the public interest and should be approved, and that the two proffered Declaration of Restrictions should be accepted, and

WHEREAS, a motion to accept the two proffered Declarations of Restrictions and to approve Item #1 through 5, was offered by Commissioner Lynda Bell, seconded by Commissioner Jose "Pepe" Diaz, and upon a poll of the members present the vote was as follows:

Bruno A. Barreiro	absent	Barbara J. Jordan	absent
Lynda Bell	aye	Jean Monestime	absent
Esteban Bovo, Jr.	aye	Dennis C. Moss	aye
Jose "Pepe" Diaz	aye	Rebecca Sosa	aye
Audrey M. Edmonson	aye	Sen. Javier D. Souto	absent
Sally A. Heyman	absent	Xavier L. Suarez	aye
		Joe A. Martinez	aye

NOW THEREFORE BE IT RESOLVED by the Board of County Commissioners, Miami-Dade County, Florida, that the requested special exception to permit a high school within 1 mile of the Urban Development Boundary (Item #1), the requested modification of Condition #2 of Resolution Z-47-97, as last modified by Resolution Z-29-06, both passed and adopted by the Board of County Commissioners (Item #2), the requested modification of Conditions #5, #6, #10 and #18 of Resolution Z29-06, passed and adopted by the Board of County Commissioners (Item #3), the requested modification of Paragraph 1 of a Declaration of Restrictions (Church) as recorded in Official Records Book 25052 Pages

2337 - 2344 (Item #4), and the requested modification of Paragraphs 1, 3 & 8 of a Declaration of Restrictions (Charter School) as recorded in Official Records Book 25052 Pages 2382 - 2389 (Item #5) be and the same are hereby approved, subject to the following conditions:

1. That all the conditions of Resolution No. Z-47-97 and Resolution No. Z-29-06 remain in full force and effect, except as herein modified.
2. That a site plan be submitted to and meet with the approval of the Director of the Permitting, Environment and Regulatory Affairs Department or successor Department upon the submittal of an application for a building permit and/or Certificate of Use; said plan must include among other things but not be limited to, location of structure or structures, exits and entrances, drainage, walls, fences, landscaping, etc.
3. That at the time of Certificate of Use renewal and each subsequent renewal, the owner shall submit to the Permitting, Environment and Regulatory Affairs Department or successor Department a letter from the principal of the school detailing the number of students and the grade levels that are currently enrolled in said facility.
4. That at the time of Certificate of Use renewal and with each subsequent renewal, the owner shall submit to the Permitting, Environment and Regulatory Affairs Department or successor Department a letter or approved form from the Public Works and Waste Management Department showing that the school facility is in compliance with the traffic impact study and the Traffic Operations Plan (TOP) that was submitted as part of the hearing application.
5. That the Owner shall have trained personnel on site to manage the traffic operations during the arrival and dismissal period.
6. That all off-site improvements be constructed prior to the school opening.
7. That the applicant comply with all of the applicable conditions, requirements, recommendations, requests and other provisions of the various Departments as contained in the Departmental memoranda which are part of the record of the February 08, 2012 DIC of this application and incorporated herein by reference.
8. That in addition to the outdoor recreational area shown on the previously approved site plan, the applicant shall provide approximately 20,000 square feet of fenced in open area. The fence shall meet the requirements of Section 33-159(k) of the Miami-Dade Zoning Code.

BE IT FURTHER RESOLVED that the requested modification of Condition #2 of Resolution Z-47-97, as last modified by Resolution Z-29-06, both passed and adopted by the Board of County Commissioners (Item #2), shall read as follows:

2. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06.

BE IT FURTHER RESOLVED that the requested modification of Conditions #5, #6, #10 and #18 of Resolution Z29-06, passed and adopted by the Board of County Commissioners (Item #3), shall read as follows:

5. That the school gates shall be opened at least 30 minutes prior to the arrival and dismissal times. The Charter School shall have three (3) staggered shifts of arrival and dismissal times, separated by a minimum of twenty (20) minutes, as follows:

Kindergarten through 4th Grades-Arrival 8:30 AM/Dismissal 3:30 PM.

5th through 8th Grades-Arrival 8:00 AM/Dismissal 3:00 PM.

9th through 12th Grades-Arrival 7:30 AM/Dismissal 2:30 PM.

6. That the charter school use shall be limited to grades Kindergarten through 12th grade for a maximum of 1012 students.
10. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06.
18. That in the approval of the plan, the same be substantially in accordance with that submitted for the hearing entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06.

BE IT FURTHER RESOLVED that the requested modification of of Paragraph 1 of a Declaration of Restrictions (Church) as recorded in Official Records Book 25052 Pages 2337 - 2344 (Item #4), shall read as follows:

1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the application entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06 as said plan may be further modified at the public hearing on the Application.

BE IT FURTHER RESOLVED that the requested modification of Paragraphs 1, 3 & 8 of a Declaration of Restrictions (Charter School) as recorded in Official Records Book 25052 Pages 2382 - 2389 (Item #5), shall read as follows:

1. The use of the Property shall be established and maintained substantially in accordance with the plan submitted with the application entitled 'Palm Glades Preparatory Academy (K-8) & Palm Glades Preparatory High School (9-12)', as prepared by Juan A. Rodriguez-RA Jomolca, consisting of 8 sheets, 4 sheets dated stamped received 1/12/12 and 4 sheets dated stamped received 11/10/11, landscape plans as prepared by Ivette Gatell Estefani, consisting of 4 sheets, all dated stamped received 11/10/11 for a total of 12 sheets and 'Dr. Joseph Coats Charter School & Grace Baptist Church' as prepared by Juan A. Rodriguez-R.A. Jomolca, sheets A2.1, A3.00, A4.00, A4.01, A5.00, L1.05 and L1.06 all dated stamped received 5/12/06, as said plan may be further modified at the public hearing on the Application.
3. The Charter School use shall be limited to Kindergarten through Twelfth Grade with 1012 students.
8. The Charter School gates shall be opened at least thirty (30) minutes prior to the arrival and dismissal times. The Charter School shall have three (3) staggered shifts of arrival and dismissal times, separated by a minimum of twenty (20) minutes, as follows:

Kindergarten through 4th Grades-Arrival 8:30 AM/Dismissal 3:30 PM.

5th through 8th Grades-Arrival 8:00 AM/Dismissal 3:00 PM.

9th through 12th Grades-Arrival 7:30 AM/Dismissal 2:30 PM

The Owner shall have trained personnel on site to manage the traffic operations plan during the arrival and dismissal period. The Owner shall manage the traffic operations, including the provisions of any traffic control devices, during the arrival and dismissal times in substantial conformance with the 'Traffic Operations Plan' prepared by Juan A.

Rodriguez-RA Jomolca, consisting of 1 sheet dated 11/10/11 and attached hereto as Exhibit 'B'.

BE IT FURTHER RESOLVED that, pursuant to Section 33-6 of the Code of Miami-Dade County, Florida, the County hereby accepts the proffered covenant and does exercise its option to enforce the proffered restrictions wherein the same are more restrictive than applicable zoning regulations.

BE IT FURTHER RESOLVED, notice is hereby given to the applicant that the request herein constitutes an initial development order and does not constitute a final development order and that one, or more, concurrency determinations will subsequently be required before development will be permitted.

The Director is hereby authorized to make the necessary changes and notations upon the maps and records of the Miami-Dade County Permitting Environment or Regulatory Affairs Department or its Successor.

THIS RESOLUTION HAS BEEN DULY PASSED AND ADOPTED this 19th day of April, 2012, and shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

No. 12-2-CC-1
ej

HARVEY RUVIN, Clerk
Board of County Commissioners
Miami-Dade County, Florida
By CHRISTOPHER AGRIPPA
Deputy Clerk

THIS RESOLUTION WAS TRANSMITTED TO THE CLERK OF THE BOARD OF COUNTY COMMISSIONERS ON THE 19th DAY OF APRIL, 2012.

STATE OF FLORIDA

COUNTY OF MIAMI-DADE

I, Earl Jones, as Deputy Clerk for the Miami-Dade County Permitting, Environment and Regulatory Affairs Department or its successor as designated by the Director of the Miami-Dade County Permitting, Environment and Regulatory Affairs Department or its successor and Ex-Officio Secretary of the Board of County Commissioners of said County, DO HEREBY CERTIFY that the above and foregoing is a true and correct copy of Resolution No. Z-4-12 adopted by said Board of County Commissioners at its meeting held on the 19th day of April, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal on this the 19th day of April, 2012.



Earl Jones, Deputy Clerk (3230)
Miami-Dade County Permitting, Environment and Regulatory
Affairs Department or its successor

SEAL

